

Serial No.: 09/920,591
Response to OA of 10/21/04

Remarks

In the present response, no claims are amended, and one claim (24) is canceled. Claims 1-23 are presented for examination.

I. Claim Rejections: 35 USC § 102

Claims 1-5, 10, 11, 13-24 are rejected under 35 U.S.C. §102(c) as being anticipated by USPN 6,288,753 (DeNicola). Applicant respectfully traverses.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since DeNicola neither teaches nor suggests each element in the rejected claims, these claims are allowable over DeNicola.

Claim 1

Claim 1 recites numerous recitations that are not taught or suggested in DeNicola. For example, claim 1 is directed to an adapter. The adapter has three recited elements: a network interface, a client, and a video display driver. Nowhere does DeNicola teach or suggest any such adapter as recited in claim 1.

In an attempt to show the three elements of the claim 1, the Office Action selected various unrelated elements from Becker and provided a piece-meal construction. For example, to show the network interface element, the Office Action cites a Web server comprising a Web site interface (see OA at p. 2: Becker at col. 10, lines 65-67). Then, to show the client element, the Office Action cites *students* that access a virtual university of the Web server (see OA at p. 2: Becker at col. 11, lines 34-41). Per 35 USC § 101, claim 1 is directed to patentable subject matter of a "machine." By citing a server to teach one element and a student to teach another element, the Office Action has failed to show that Becker teaches the recited elements of claim 1.

Claim 1 also recites the video display driver element. As another example of an improper piece-meal construction, the Office Action cites several locations in Becker (see OA at p. 3: Becker at col. 8, lines 30-55, and col. 9, lines 3-15). These sections teach a video/audio communication link establishing connection between a video production

Serial No.: 09/920,591
Response to OA of 10/21/04

studio and remote learning locations or classrooms (see Becker, Figure 1). This portion of Becker is unrelated to the Web server used to allegedly teach the network interface element.

For at least these reasons, claim 1 is allowable over DeNicola. The dependent claims are allowable for at least the reasons given in connection with claim 1.

Claim 11

Claim 11 recites numerous recitations that are not taught or suggested in DeNicola. For example, claim 11 recites connecting the shared image projection device to a network via a network adapter. The Office Action cites Becker for teaching this recitation. This portion of Becker is reproduced below for convenience:

The Web server system 26 (FIG. 4) comprises, among other things, a Web site interface, an examination building/delivery/score tracking system 100 (FIG. 7), a client level account management system 200 (FIG. 9A), a student level account management system 300 (FIG. 9B), and a workbook building system 400 (FIG. 15), each of which will be discussed below. (Becker at col. 10, lines 65-67)

No where does this section of Becker teach or suggest connecting a shared image projection device to a network via a network adapter.

As another example, claim 11 recites three elements: connecting, receiving, and outputting. Each of these elements recites recitations regarding a network adapter. By way of example, claim 11 recites connecting the image projection device to a network via a **network adapter**, receiving network data at said **network adapter**, and outputting video data from said **network adapter**. Nowhere does Becker teach or suggest a method for providing network access to a shared image projection device wherein the method comprises the three recited elements regarding a network adapter.

In an attempt to show the three elements of the claim 11, the Office Action selected various unrelated elements from Becker and provided a piece-meal construction. For example, to show the connecting element, the Office Action cites a Web server comprising a Web site interface (see OA at p. 4: Becker at col. 10, lines 65-67). Then, to

Serial No.: 09/920,591
Response to OA of 10/21/04

show the outputting element, the Office Action cites several locations in Becker (see OA at p. 4: Becker at col. 8, lines 30-55, and col. 9, lines 3-15). These sections teach a video/audio communication link establishing connection between a video production studio and remote learning locations or classrooms (see Becker, Figure 1). This portion of Becker is unrelated to the Web server used to teach the connecting element.

For at least these reasons, claim 11 is allowable over DeNicola. The dependent claims are allowable for at least the reasons given in connection with claim 11.

Claim 17

Claim 17 recites numerous recitations that are not taught or suggested in DeNicola. For example, claim 17 is directed a system comprising an adapter. The adapter has three recited elements: a network interface, a client, and a video display driver. Nowhere does DeNicola teach or suggest any such adapter as recited in claim 17.

In an attempt to show the three elements of the claim 17, the Office Action selected various unrelated elements from Becker and provided a piece-meal construction. For example, to show the network interface element, the Office Action cites a Web server comprising a Web site interface (see OA at p. 6: Becker at col. 10, lines 65-67). Then, to show the client element, the Office Action cites students that access a virtual university of the Web server (see OA at p. 6: Becker at col. 11, lines 34-41). Per 35 USC § 101, claim 17 is directed to patentable subject matter of a "machine." By citing a server to teach one element and a student to teach another element, the Office Action has failed to show that Becker teaches the recited elements of claim 17.

Claim 17 also recites the video display driver element. As another example of an improper piece-meal construction, the Office Action cites several locations in Becker (see OA at p. 6: Becker at col. 8, lines 30-55, and col. 9, lines 3-15). These sections teach a video/audio communication link establishing connection between a video production studio and remote learning locations or classrooms (see Becker, Figure 1). This portion of Becker is unrelated to the Web server used to allegedly teach the network interface element.

For at least these reasons, claim 17 is allowable over DeNicola. The dependent claims are allowable for at least the reasons given in connection with claim 17.

Serial No.: 09/920,591
Response to OA of 10/21/04

Claim 24

Claim 24 is canceled and the rejection is moot.

Claims 6, 7, 12: Official Notice

The Office Action admits that Becker does not teach all of the recitations in claims 6, 7, 12 (see OA at p. 9: "DeNicola does not explicitly teach"). Applicant agrees with this admission. The Office Action, however, attempts to cure this deficiency with Official Notice. Applicant respectfully traverses.

Per MPEP § 2144.03, Applicant challenges the factual assertion as not properly officially noticed or not properly based upon common knowledge. As such, Applicant asks the Examiner to provide adequate **documentary evidence**.

Applicant contends that the noticed fact is not considered common knowledge or well-known in the art. For example, claim 1 is directed to an adapter for providing network access to a shared image projection device. The adapter comprises a client that receives data from the network interface and produces a data signal. Claim 6 recites that the client is a T.120 client. It is not common knowledge or well-known in the art to provide a T.120 client in the embodiment of an adapter as recited in claim 1. Similarly, claim 7 recites specific network data and specific limitations regarding the network interface and client. It is not common knowledge or well-known in the art to provide the specific limitations of claim 7 in the embodiment of an adapter as recited in claim 1. Similarly, claim 11 recites a method for providing network access to a shared image projection device. Claim 12 then recites specific network data and specific limitations regarding removing the wrapper. It is not common knowledge or well-known in the art to provide the specific limitations of claim 12 in the embodiment of the method as recited in claim 11.

In light of Applicant's traversal, Applicant respectfully asks the Examiner to produce authority (in the form of documentary evidence) for the alleged notice.

II. Claim Rejections: 35 USC § 103

Claims 8 and 9 are rejected under 35 USC § 103(a) as being unpatentable over DeNicola further in view of USPN 6,237,025 (Ludwig). Applicant respectfully traverses.

Serial No.: 09/920,591
Response to OA of 10/21/04

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Applicant asserts that the rejection does not satisfy these criteria.

Claims 8 and 9 depend from claim 1 and, thus, inherit all the limitations of claim 1. As noted in Section I, DeNicola does not teach or suggest all the recitations in claim 1. Ludwig fails to cure the deficiencies of DeNicola. For at least these reasons, claims 8 and 9 are allowable over DeNicola further in view of Ludwig.

Serial No.: 09/920,591
Response to OA of 10/21/04

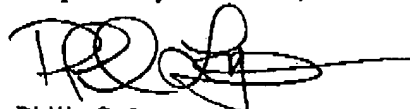
CONCLUSION

In view of the above, Applicant believes all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

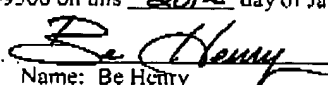


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CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted to the United States Patent and Trademark Office number 703-872-9306 on this 20th day of January, 2005.

By


Name: Be Henry